

MEETINGS TO DATE 15
NO. OF REGULARS 15
NO. OF SPECIALS 0

LANCASTER, NEW YORK
AUGUST 7, 1978

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 7th day of August, 1978 at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M., the Town Board held an adjourned Public Hearing to hear all interested parties and citizens for or against a proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster as petitioned by Guenter H. and Eva G. Burkhardt.

Affidavits of Publication and Posting of a Notice of this adjourned Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mail Certified Mail, Return Receipt Requested, to the Petitioner and the Attorney for the Petitioner notifying these individuals of the time and place of this Public Hearing.

PUBLIC HEARING SCHEDULED FOR 8:00 P.M. CONT'D.:

The Town Clerk presented these further communications relative to this Public Hearing:

1. Letter from President, Sealing Devices Inc. opposing this proposed rezone amendment.
2. Letter dated July 11, 1978 from the Planning Board to the Town Board reporting that the board voted again to hold to its original denial of the Burkhardt rezone petition.

PROPOSERS

NONE - The petitioner and attorney for the petitioner, even though notified to appear by certified mail notice, were not present.

OPPOSERS

Charles Kolb
5915 Broadway
Lancaster, New York

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:10 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter until their next meeting scheduled for August 21, 1978.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	July, 1978
Police Department	Annual Report - 1977
Dog Warden	July, 1978

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Planning Board	June 7, 1978 July 5, 1978
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REPORTS OF THE TOWN BOARD COMMITTEES:

Councilman Barnhardt, for the Lighting Committee, presented to the Town Board an approved overall street lighting plan for the Woodview Estates Subdivision.

Councilman Berent, for the Recreation Committee, reported that his committee and members of the Recreation Commission met and inspected the security alarm devices which are being installed by American Alarm Services.

Councilman Berent further reported that during the month of July 12 alarms were sounded at the Meadow Lea Park area notifying the Village Police of intended vandalism or illegal entry and that one person was apprehended.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board held
July 17, 1978, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by
letter dated July 26, 1978, has requested confirmation of one (1) new
member duly elected to the Membership of the Bowmansville Volunteer Fire
Association, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town Board of the Town of
Lancaster hereby confirms the following individuals in the Bowmansville
Volunteer Fire Association, Inc.:

CONFIRMATION

Eric Danzer
5363 Genesee Street
Bowmansville, NY 14026

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYS	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, by resolution dated June 19, 1978, the Town of Lancaster has entered into Manpower Project No. 642 under Title VI of the Comprehensive Employment Training Act of 1973, to provide a projects program on behalf of the Highway Department of the Town of Lancaster, and

WHEREAS, said project will employ a Foreman, Rodman and Laborers in temporary positions, with duties as set forth in said resolution,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby creates the temporary positions of Foreman, Rodman and Laborers for the Town of Lancaster under CETA Project No. 642, with duties as set forth in the agreement for CETA Project No. 642, and the resolution of the Town Board dated June 19, 1978, and that the Supervisor's Office take such further action with the Personnel Department of the County of Erie as may be necessary and proper with regard to the creation of said position, and

2. That the following individuals be and hereby are appointed to the temporary positions of Foreman, Rodman, and Laborers, under CETA Project No. 642 for period commencing July 31, 1978 and terminating as set forth in the Agreement for CETA Project 642, being Contract 36-7005-60:

FOREMAN - \$4.31 per hr.

Leon Kennedy 52 Ellen Drive, Cheektowaga, New York

RODMAN - \$3.09 per hr.

Mark Sorenson 142 Kandahar Drive, East Aurora, N.Y.

LABORERS - \$3.09 per hr.

Richard Dinardo 28 Bellah, Tonawanda, New York
Joseph Hill 59 Field Avenue, Lancaster, New York

LABORERS - \$3.09 per hr.

Frank Nigro	25 Norfred Drive, Lackawanna, New York
Bill Scibetto	235 So. Union, Williamsville, New York
Robert Skrabski	72 Garland Avenue, Cheektowaga, New York
Charles Sorce	59 Patsy Lane, Depew, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~xxxxxx~~
The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , WIT:

Resolution of the Town Board of the Town of Lancaster, adopted August 7, 1978, providing for the leasing of a portion of Parcel 1, Nike Site, now Lancaster Center, Pavement Road, Town of Lancaster, New York, being a metal building, formerly the computer shack, known as Building "H", together with access thereto from existing roads and parking for the Tenant as same shall be available in the area, which parking shall not interfere with existing Lancaster Center or Prast Research Associates, Inc., parking use, to Lancaster Depew Community Theatre, an unincorporated association, P.O.Box 101, Bowmansville, New York, for a term of two years, from September 10, 1978 to September 10, 1980, with rental of Three Hundred Dollars (\$300.00), payable monthly in advance, on the tenth of each month, and provided further that after the first three months the Town Board may, in its discretion, accept in lieu of Twenty-five Dollars (\$25.00) per month, improvements to said Building "H", either in material and/or labor, equaling said monetary amount, said substitution of consideration shall be made by written proposal by the Tenant, duly accepted by the Town Board.

WHEREAS, the Town of Lancaster has negotiated a Lease with the Lancaster Depew Community Theatre, an unincorporated association, which is a community spirited organization composed primarily of residents of the Town of Lancaster and whose membership is open to residents of the Town of Lancaster and whose aims and endeavors are to bring local pride and entertainment of a unique and cultural experience to the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor hereby is authorized and directed to execute a lease with the Lancaster Depew Community Theatre, for a portion of Parcel 1, Nike Site, now Lancaster Center, Pavement Road, Town of Lancaster, New York being a metal building, formerly the computer shack, known as Building "H", together with access thereto from existing roads and parking for the Tenant as same shall be available in the area, which parking shall not

interfere with existing Lancaster Center or Prast Associates, Inc., parking use; for a term of two (2) years, from September 10, 1978 to September 10, 1980, with rental of Three Hundred Dollars (\$300.00), payable monthly in advance, on the tenth of each month, and provided further that after the first three months the Town Board may, in its discretion, accept in lieu of Twenty-five Dollars (\$25.00) per month, improvements to said Building "H", either in material and/or labor, equaling said monetary amount, said substitution of consideration shall be made by written proposal by the Tenant, duly accepted by the Town Board, and

BE IT FURTHER

RESOLVED, that this resolution shall take effect thirty (30) days after its adoption, unless within thirty days a petition shall be filed in accordance with Section 64(2) of the Town Law of the State of New York, against the resolution and requesting it to be submitted to the electors for their approval or disapproval, and

BE IT FURTHER

RESOLVED, that this resolution shall be published in the Lancaster Enterprise-Journal and posted according to law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, Josela Enterprises Inc., has applied for approval of
Countryside Subdivision, and

WHEREAS, the Planning Board, Planning Consultant and Town Engineers
have given their approval to the filing of this Subdivision, and

WHEREAS, the Town Board by resolution dated March 20, 1978,
approved the subdivision known as Countryside Subdivision, and

WHEREAS, more than sixty (60) days have elapsed since the approval
of this subdivision on March 20, 1978 by the Town Board, and the County
Clerk's Office will not accept the filing of the map cover which is presented
later than the sixtieth (60th) day following date of Town Board approval,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
approves the subdivision known as Countryside Subdivision filed with the
Town Board by Josela Enterprises, Inc., and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to properly
endorse upon said subdivision map the approval of the Town Board of the
Town of Lancaster on the linen copy thereof, and

BE IT FURTHER

RESOLVED, that the Town Attorney attend to the filing of this
subdivision map in the Erie County Clerk's Office with a representative of
Josela Enterprises Inc.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, by letter dated August 4th, 1978, the Supervisor has requested authority to purchase a Five-watt, Multi-Channel Radio, with three operating channels and accessories in order that he may be in communication with police and highway networks, as well as County Civil Defense, to adequately coordinate disaster and other emergency situations confronting the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to purchase a Five-watt, Multi-channel Radio, with three operating channels, a spare battery, a vehicular charger, antenna and speaker, from Motorola Communications and Electronics, Inc., for a total price of \$1,499.00, to be paid as follows: \$1,043.00 from previously encumbered funds for said purpose, and the balance to be drawn from the appropriate account of the Supervisor's budget of the General Fund for the year, 1978.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, Metroplex Homes Inc., has applied for approval of Woodview Estates Subdivision, and

WHEREAS, the Planning Board, Planning Consultant and Town Engineers have given their approval to the filing of this Subdivision, and

WHEREAS, the Town Board by resolution dated February 27, 1978, approved the subdivision known as Woodview Estates Subdivision, and

WHEREAS, more than sixty (60) days have elapsed since the approval of this subdivision on February 27, 1978 by the Town Board, and the County Clerk's Office will not accept the filing of the map cover which is presented later than the sixtieth (60th) day following date of Town Board approval,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the subdivision known as Woodview Estates Subdivision filed with the Town Board by Metroplex Homes Inc., and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to properly endorse upon said subdivision map the approval of the Town Board of the Town of Lancaster on the linen copy thereof, and

BE IT FURTHER

RESOLVED, that the Town Attorney attend to the filing of this subdivision map in the Erie County Clerk's Office with a representative of Metroplex Homes Inc.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Recreation Commission, Recreation Director and Recreation Committee of the Town Board have recommended that the parks and recreational areas under the Town of Lancaster's jurisdiction be opened from 8:00 A. M. and close at 9:00 P.M. daily, during the operational season,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, in accordance with Section 29-2 of the Code of the Town of Lancaster hereby designates that the hours of operation for parks and recreational areas under the jurisdiction of the Town of Lancaster be 8:00 A.M. to 9:00 P.M. daily, during the operational season until further action by the Town Board, and

BE IT FURTHER

RESOLVED, that said opening and closing times shall be conspicuously posted within the areas of such parks and recreational areas.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, by resolution dated March 6, 1978, FRED S. THESSEN was appointed to the temporary position of Building Inspector Trainee under CETA Project No. 645, for a period of twenty-six weeks, at a rate of \$4.31 per hour, and

WHEREAS, FRED S. THESSEN, for reasons of health, resigned this position on June 28, 1978, leaving a vacancy therein,

NOW, THEREFORE, BE IT.

RESOLVED, that HENRY G. SCHMITT, residing at 4723 Union Road, Cheektowaga, New York, be and is hereby appointed, effective July 6, 1978, to fill the unexpired vacancy in the position of Building Inspector Trainee under CETA Project No. 645 for the remaining period of the original appointment of FRED S. THESSEN, unless sooner terminated, at a rate of \$4.31 per hour.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, Marrano Enterprises Inc. has heretofore been issued
Public Improvement Permit Nos. 50, 51 and 52, for the installation of
Pavement and Curbs, Storm Sewers, and Water Lines, within Pleasant Meadow
Subdivision, and

WHEREAS, Marrano Enterprises Inc., pursuant to the provisions of
Chapter 11-6 of the Code of the Town of Lancaster, has filed with the Town
Board of the Town of Lancaster, M & T Irrevocable Documentary Letter of Credit
No. 2412 in the amount of \$125,000.00 representing the uncompleted
value of work authorized under Town of Lancaster Public Improvement Permit
Nos. 50, 51 and 52 as follows:

1. Storm Sewer - Uncompleted Value	- \$ 2,500.00
2. Water Line - Uncompleted Value	- \$ 2,500.00
3. Pavement and Curbs - Uncompleted Value	- \$120,000.00
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	\$125,000.00

and,

WHEREAS, the Town Engineer, by letter dated July 31, 1978, has
certified the uncompleted values for uncompleted work under Public Improvement
Permit Nos. 50, 51 and 52 as follows:

1. Storm Sewer - Uncompleted Value	- \$ 2,500.00
2. Water Line - Uncompleted Value	- \$ 2,500.00
3. Pavement and Curbs - Uncompleted Value	- \$120,000.00
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	\$125,000.00

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
accepts M & T Bank Irrevocable Documentary Letter of Credit No. 2412 in the
amount of \$125,000.00 as security for the faithful performance and completion
of the uncompleted portion of the Public Improvements here and before referred
to, and the Supervisor be and is hereby authorized to execute an agreement
by and between the Town of Lancaster and Marrano Enterprises Inc. dated
August 7, 1978 setting forth the terms and conditions regulating the Letter
of Credit herein approved, and

BE IT FURTHER

RESOLVED, that pursuant to Section 11-6.(A.), the Building Inspector of the Town of Lancaster be and is hereby authorized to issue building permits on development lots adjoining those streets for which Public Improvements have been authorized under Public Improvement Permit Nos. 50, 51 and 52 of the Town of Lancaster which Public Improvements have now been secured by M & T Bank Irrevocable Documentary Letter of Credit No. 2412.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6801 to 6861 Incl.	\$57,894.34
Special District Funds	No. 319 to 320 Incl.	\$ 397.31
Part Town Funds	No. 580 to 584 Incl.	\$ 626.09
Highway Funds	No. 2000 to 2023 Incl.	\$24,616.21
Trust & Agency Funds	No. 266 to 269 Incl.	\$ 1,642.65
Federal Revenue Sharing	No. 1165 to 1190 Incl.	\$15,802.45
Capital Fund	No. 343 to 343 Incl.	\$ 4,100.68
CETA Project No. 641	No. 23 to 25 Incl.	\$ 265.50
CETA Project No. 645	No. 27 to 29 Incl.	\$ 695.19

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
113	Geraldine Nickden (WITHDRAWN)	63 Stutzman Rd.	ER. PRE-FAB FENCE
114	Ivan Iseppon	691 Ransom Rd.	DEM. BARN, ER. FR. PVT. GARAGE
115	Edward Zimpfer	155 N. Maple Rd.	ER. PRVT. GARAGE
116	Jim Korn	9 Glendale	ER. FR. SHED
117	Marrano Enter.	15 Robinwood Ct.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
118	Marrano Enter.	8 Farmingdale Ct.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
119	Glenn Sorrentino	451 Aurora St.	ER. FR. STORAGE BLDG.
120	Walter Lukasik	695 Pleasant View	ER. FR. BRK. SIN. DWLG, PVT. GARAGE
121	Marrano Enter.	30 Deerpath Dr.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
122	Marrano Enter.	15 Ravenwood Dr.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
123	Leonard Gwarek	156 Westwood Rd.	ER. FR. PVT. GARAGE
124	Chester J. Czyrny	109 Ransom Rd.	ER. FR. STOR. BLDG.
125	Robert D. Warren	246 Westwood	ER. FR. PVT. GARAGE

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 7, 1978

STATUS REPORT ON UNFINISHED BUSINESS:

1. Preferential Rights, Erie Lackawanna R.R.
By letter dated April 13, 1978, the Supervisor provided the Town Board with a summary of concerns regarding the D.L. & W. right-of-way with a copy of the letter directed to Mayor Lyon, Supervisor Donnelly, Mr. Evans, Sales Manager for D.L. & W., the N.Y.S. Dept. of Transportation, and the Erie County Planning Dept.
2. Public Dedication of Townedge Water Lines
On March 13, 1978, the Erie County Water Authority gave approval for a meter pit for the interconnection between Countryside and Townedge.
3. Public Improvement Permit Authorization, Lancaster Industrial Park
On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 41 and 42 for storm sewer, pavement and curbs. On June 5, 1978, the Town Board approved Public Improvement Permit No. 53 for water line.
4. Phase III, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On March 20, 1978, the Town Board approved Public Improvement Permit No. 50 for Phase III water lines. On May 1, 1978, the Town Board approved Public Improvement Permit No. 51 for Phase III storm drain and Public Improvement Permit No. 52 for Phase III pavement and curbs. On August 7, 1978, the Town Board accepted a \$125,000. M & T Letter of Credit to secure the issuance of building permits in Phase III.
5. Rezone Petition, Guenter H. and Eva G. Burkhardt
On August 7, 1978, the Town Board held an adjourned public hearing on this proposed rezone and after closing the public hearing tabled their decision until their next meeting.
6. Subdivision Filing, Josela Enterprises, Countryside Subdivision
On March 20, 1978, the Town Board approved this subdivision and authorized the Town Attorney, with a representative of the developer, to file this subdivision map. On August 7, 1978, the Town Board reapproved this subdivision because the developer did not file the map within the required 60 day period.
7. Subdivision Filing, Woodview Estates Subdivision
On February 27, 1978, the Town Board approved this subdivision and authorized filing of the subdivision map under conditions by the Town Attorney. On August 7, 1978, the Town Board reapproved this subdivision because the developer did not file the map cover within the required 60 day period.
8. Alarm Security, Town Buildings
At the Town Board meeting of May 1, 1978, the Town Board accepted the revised proposals of American Alarm Services which were contained in their letter to the Town Board dated March 15, 1978.
9. Extension, Walden Avenue Sewer Facilities, East of Terminus of Sewer District No. 4 Line
At the Town Board meeting of April 3, 1978, Councilman Barnhardt presented to the Town Board a preliminary cost projection for this project. On July 7, 1978, a letter was mailed to all property owners involved inviting them to a general discussion meeting on July 20, 1978 to review the proposed cost data on this project. At this meeting, cost data was presented to the property owners involved and after discussion the consensus of opinion was that the cost of the project, without massive federal and state aid, would be prohibitive. The Town Clerk was directed to remove this item from future Town Board agendas.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

10. Rezone Petition, J. Nicholas Mueller
On June 19, 1978, the Town Board held a Public Hearing on this matter and reserved decision. On July 21, 1978, the Town Board asked the Planning Board to re-evaluate existing zoning classifications on Genesee Street from Harris Hill Road east and report back to the Town Board.
11. Subdivision Approval, Country View East
On May 1, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
12. Speed Evaluation Survey, Simme Road
On May 1, 1978, the Town Board adopted a resolution requesting a speed evaluation survey from the N.Y.S. Dept. of Transportation.
13. Rezone Petition, Dennis Casillo
On June 5, 1978, this petition was presented to the Town Board and referred to the Planning Board for review and comment.
14. Rezone Petition, Norman H. and Maryann Bastian
On July 3, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
15. Subdivision Approval, Heritage Hills
On July 3, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

1. Geralda Zurbrick, 13 Waltham Avenue, and Ruth Saelzler, 15 Waltham Avenue, inquired of the Town Board why no sewers have been installed on Waltham Avenue within Sewer District No. 4.

The Supervisor reported that the engineers are currently working on a solution on the best way to provide sewer service to this Waltham Avenue area due to the peculiar geography of the area which does not provide sufficient altitude for gravity flow into the Sewer District No. 4 trunk lines.

The Supervisor indicated that the engineers are studying the cost effectiveness of two different proposals; one being the installation of individual lift pumps in each home and the other being a direct tap into the Lancaster Village lines on the other side of Waltham Avenue within the Village of Lancaster.

2. Hazel Faulhaber, 642 Aurora Street, asked the Town Board approximately how long it would take before the sewer line in front of her home would become operational.

The Supervisor informed Mrs. Faulhaber that a lift station must be constructed in this area and that the line hopefully would be in service in one to one and one-half years.

3. Mr. Charles Lorentz, 671 Aurora Street, complained to the Town Board of improper restoration of his property on Aurora Street after the installation of a Sewer District No. 4 lateral sewer.

The Town Board informed Mr. Lorentz that the County Contract contains a one-year restoration clause and that his complaint should be filed with the project engineer for Sewer District No. 4 construction.

4. Mr. Charles Kolb, 5915 Broadway, asked the Town Board if they knew that Guenter Burkhardt erected an illegal fence on his premises at 5960 Broadway.

The Assistant Building Inspector informed Mr. Kolb that they are aware of the violation, a stop order to construct any further fence has been issued, and an appearance ticket to the Town Justice Court has been issued to the violator.

5. Rosemary Weihing, 668 Aurora Street, talked to the Town Board about obtaining a temporary sand filter permit for her premises pending her anticipated hookup to Sewer District No. 4 sewer lines within the next one to one and a half years.

The Supervisor recommended that Mrs. Weihing contact Mr. Barry at the Erie County Department of Health and explain her situation to him.

The Supervisor asked Mrs. Weihing to contact him if, after talking to Mr. Barry, no progress is made in obtaining this temporary sand filter permit.

COMMUNICATIONS:

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DISPOSITION

539.	N.Y.S. Dept. of Transportation to Leg. Wm. Paxson - Report on study of traffic on Broadway in the Towns of Lancaster and Alden.	R & F
540.	Chief of Police to Town Board - Annual report for 1977.	R & F
541.	Chief of Police to Town Board - Recommendation of amendment to Vehicle and Traffic Ordinance prohibiting parking and standing in designated locations.	Attorney
542.	Supervisor's and County Legislator's Assoc. to Supervisor - Transmittal of various adopted resolutions.	R & F
543.	Town Clerk to Town Board - Resume of actions taken in response to directions and resolutions of the Town Board meeting of 7/17/78.	R & F
544.	Chief of Police to Town Board - Recommendation of reduction of speed limit on Warner Road.	Attorney
545.	Building Inspector to Town Board - Notification that Henry Schmitt began work on 7/6/78 as Build. Insp. Trainee.	R & F
546.	Town Accountants to Town Board - Notification of procedures for school tax procedures.	Attorney Supervisor
547.	Building Inspector to Town Board - Recommendation that Robert Laney be retained as Ass't. Building Inspector.	R & F
548.	Region II, Federal Regional Council to Supervisor - Notification of appointment of Alice Fisher Rubin as the N.Y.S. Representative to the Federal Region.	R & F
549.	Mrs. Janet Ferguson to Supervisor - Request continuation of Pre-School Swim Program.	Recreation Comm.
550.	Deborah L. Ferguson to Supervisor - Request continuation of Pre-School Swim Program.	Recreation Comm.
551.	Mrs. Joan Goembel to Supervisor - Request continuation of Pre-School Swim Program.	Recreation Comm.
552.	County Dept. of Finance to Supervisor - Transmittal of report of the apportionment and distribution of 3% sales tax for period 5/31/78 - 7/20/78.	R & F
553.	Depew-Lancaster Boys' Club, Inc. to Supervisor - Expression of thanks for contribution to success of 1st Annual 4th of July Race.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

554.	Mrs. Joyce Iudice to Town Board - Request continuation of Pre-School Swim Program.	<u>Recreation Comm.</u>
555.	County Health Dept. to Town Board - Transmittal of Certificate of Approval of Realty Subdivision for Woodview Subdivision.	<u>R & F</u>
556.	Highway Supt. to Town Board - Recommendation that Town enter into purchase agreement with both Villages for a hose assembly system.	<u>Attorney</u> <u>Highway Supt.</u>
557.	Highway Supt. to Supervisor - Suggestion that Ransom Road be deleted from streets listed in County snow removal contracts.	<u>Supervisor</u>
558.	Highway Supt. to Supervisor - List of alternatives proposed regarding delay in obtaining CETA personnel for Project No. 642.	<u>R & F</u>
559.	N.Y.S. Assoc. of Industrial Devel. Agencies to Supervisor - Notification of meeting to be held 10/18-10/20/78 in Long Island regarding "Technology + Energy + Capability = New York."	<u>R & F</u>
560.	Supervisor to Dept. of Industrial Engineering, SUNYAB - Notations regarding Emergency Telephone Access Project.	<u>R & F</u>
561.	Supervisor to Mrs. Russell Gipple - Notification of options available regarding ditch cleaning on property.	<u>R & F</u>
562.	County Dept. of Public Works to County Water Authority - Request meeting between Town and Water Authority to resolve low water pressure at County Home and Infirmary and Correctional Facility in Alden.	<u>R & F</u>
563.	County Water Authority to County Dept. of Public Works - Notification of willingness to assist both the Towns of Lancaster and Alden in the development of a hydraulically sound system to alleviate low water pressure.	<u>R & F</u>
564.	County Dept. of Environ. and Planning to R.A. Armbrust - Transmittal of complaint regarding fumes from Lancaster Speedway with request for comments.	<u>R & F</u>
565.	ConRail to Town Clerk - Notification of repairs to Harris Hill Grade crossing as of 7/19/78.	<u>R & F</u>
566.	Town Engineers to Town Attorney - Transmittal of revised cost estimate for water lines proposed for Transit Blvd. and Storer Rd.	<u>R & F</u>

COMMUNICATIONS CONT'D.:

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DISPOSITION

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| 567. Town Historian to Town Board -
Report on Seminars on American Culture at
Cooperstown, New York. | R & F |
| 568. Chief of Police to Town Board -
Request transfer of funds for gasoline
provided. | Supervisor |
| 569. County Dept. of Public Works to Town Clerk -
Transmittal of letter regarding Safer Roads
Demonstration Program, Pavement Marking
Demonstration Program or Safe Off System
Program. | Highway Supt. |
| 570. Alden Town Clerk to Erie County Planning Div. -
Transmittal of Notice of a Public Hearing
to be held 9/5/78 regarding "Junkyard Law
of the Town of Alden." | R & F |
| 571. Cheektowaga Town Clerk to Town Clerk -
Transmittal of certified copy of resolution
regarding feasibility of renegotiating the
Rich Stadium Lease. | R & F |
| 572. N.Y.S. Dept. of Transportation to Town Clerk -
Notification that the Town's opposition
to removal of fire signal at Town Line Fire
Hall will be taken under consideration. | R & F |
| 573. Erie County Water Authority to Supervisor -
Request meeting regarding Town's water
distribution system. | Supervisor |
| 574. Town Engineers to Supervisor -
Transmittal of cost estimate regarding
materials needed for Warner Road drainage -
Pleasant Meadow Subdivision. | Highway Committee |
| 575. Pres., Cayuga Club to Town Board -
Request acknowledgement of readiness to
negotiate agreement. | Wm. Holcomb |
| 576. N.Y.S. Dept. of Environ. Conservation to
Supervisor -
Transmittal of permit filed by Charles H.
Kolb for Stream Disturbance. | R & F |
| 577. Erie County Office for the Aging Advisory
Council to Supervisor -
Notification of various meetings to be held
regarding planning services for 1979. | R & F |
| 578. Trautman Assoc. to Supervisor -
Offer of services. | R & F |
| 579. Various Residents to Supervisor -
Requests for continuation of Pre-School Swim
Program. | Recreation Comm. |
| 580. Town Accountants to Supervisor -
Analysis of 1979 budgeted amounts for ECSD
No. 4. | R & F |
| 581. Corres. Sec'y, Bowmansville Vol. Fire Assoc.
to Town Board -
Recommendation of new member to active roster. | R & F |

COMMUNICATIONS CONT'D.:

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| 582. Sen. Dale Volker to Town Clerk -
Notification that legislation changing the
Taylor Law was signed by the Governor. | R & F |
| 583. Supervisor to Town Board -
Comments regarding operating budget -
ECSD No. 4 and transmittal of analysis of
sewer costs for specific properties. | R & F |
| 584. Supervisor to Town Board -
Report on meeting held regarding Walden
Avenue sewer extension. | R & F |
| 585. Supervisor to Sales Mgr., Erie-Lackawanna
Railway Co. -
Updating regarding abandoned right-of-way,
D.L. & W. Railroad. | R & F |
| 586. Highway Supt. to ECSD No. 1 -
Update of expenses incurred by Town relative
to maintenance of District No. 2. | R & F |
| 587. Supervisor to Richard S.F. Gallivan, Esq. -
Notification of various actions recommended
regarding extension of sewer lateral from
Frank Kilbert property, Genesee St. | R & F |
| 588. Supervisor to County Supt. of Highways -
Request erection of closer guard rails on
Bowen Rd. to prevent motorists from entering
park. | R & F |
| 589. Supervisor to N.Y.S. Dept. of Transportation -
Transmittal of letter from Mrs. Irene Weber
requesting obstruction clearance at Broadway
and Schwartz Rd. | R & F |
| 590. Supervisor to Councilman Barnhardt -
Notification of information received from
State Office of Advocate for the Disabled
regarding special parking places for the
disabled. | R & F
Town Clerk |
| 591. Town Clerk to Supervisor -
Monthly report for July, 1978. | R & F |
| 592. Kevin O'Hara to Town Board -
Transmittal of questionnaire to provide
towing service with request for a response
as to why his towing service has been removed
from list. | Police & Safety
Committee |
| 593. Pres., Sealing Devices Inc. to Town Board -
Notification of opposition to Burkhardt
rezone. | R & F |
| 594. Ass't. Building Inspector to Town Board -
Explanation of steps taken to rectify
complaint of Mr. Gajewski, William St.
regarding land grading of neighbor,
Mr. Gioggre. | R & F |
| 595. Frank Kilbert, Jr. to Supervisor -
Request assistance in having sewer line laid. | R & F
Supervisor |
| 596. Supervisor to Economic Devel. Adm., U.S. Dept.
of Commerce -
Certification that E.D.A. Grant Funds for
Public Works Garage have been expended. | R & F |

COMMUNICATIONS CONT'D.:

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DISPOSITION

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| 597. Supervisor to Economic Devel. Adm., U.S. Dept. of Commerce -
Notification of acceptance of E.D.A. Project No. 01-51-03411, Public Works Garage. | <u>R & F</u> |
| 598. Industrial Devel. Agency to Supervisor -
Recommendation of an established tax policy to attract industries to area. | <u>Supervisor</u> |
| 599. Deputy Comm., County Dept. of Environ. and Planning to Depew Village Mayor -
Comments regarding Village of Depew Sewer Dist. No. 4 contract. | <u>R & F</u> |
| 600. County Comm. of Health to Supervisor -
Recommendation of ordinance requiring rat extermination before a building is demolished. | <u>R & F</u> |
| 601. Supervisor to Lancaster School Board -
Request comments as to location of retention pond on school property. | <u>R & F</u> |
| 602. Supervisor to Lancaster Postmaster -
Request consideration, when establishing mail routes, the location of rural mail boxes to alleviate possible damage during snow plowing season. | <u>R & F</u> |
| 603. Planning Board Secretary to Town Board -
Request appointment of Secretary/Clerk at a Board-determined salary. | <u>Council. Barnhardt</u> |
| 604. Planning Board to Town Clerk -
Minutes for meeting held 6/7/78. | <u>R & F</u> |
| 605. Planning Board to Town Clerk -
Minutes for meeting held 7/5/78. | <u>R & F</u> |
| 606. Dog Warden to Town Clerk -
Monthly report for July, 1978. | <u>R & F</u> |
| 607. County Dept. of Environ. and Planning to Supervisor -
Listing of portable trash pumps which may be purchased by ECSD No. 4 and their book value. | <u>Supervisor</u> |
| 608. County Employment and Training Services to Supervisor -
Notification of rejection of funding for Title VI Project No. 1081. | <u>R & F</u> |
| 609. Justice Timothy J. Dwan to Supervisor -
Notification of hiring of Janet Mrozek effective 9/5/78 to cover vacation time. | <u>R & F</u> |
| 610. Comm., N.Y.S. Dept. of Taxation and Finance to Supervisor -
Notification of required quarterly report on wages. | <u>Supervisor</u> |
| 611. Chair., Recreation Comm. to Town Board -
Request speed limit in Town parks with transmittal of diagrams. | <u>Attorney</u> |
| 612. Chair., Recreation Comm. to Town Board -
Request resolution establishing opening and closing times of Town parks. | <u>R & F</u> |

COMMUNICATIONS CONT'D.:DISPOSITION

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| 613. Town Attorney to Town Board -
Notification that deed to Phase II of Pleasant Meadow Subdivision has been recorded at the County Clerk's Office. | R & F

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| 614. Town Attorney to James D. Vollertsen -
Reminder of 11:00 P.M. curfew and control of noise level regarding Lancaster Speedway. | R & F

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| 615. Supervisor to Pres., Bicentennial Comm. -
Transmittal of interim report covering opera house renovation for past year. | R & F

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| 616. Supervisor to Pres., Lancaster-Depew Jaycees -
Request confirmation of project of identifying homes of the elderly with proper street numbers. | R & F

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| 617. Supervisor to Dir., County Office of Disaster Preparedness -
Request meeting to be held 9/12/78 to review Conrail procedures regarding emergencies. | R & F
Police Chief
Lanc. Fire Council
4 Fire Co. Chiefs

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| 618. Supervisor to Town Board -
Request acceptance of bid proposal from Motorola Communications and Electronics, Inc. for radio. | R & F

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| 619. Supervisor to Sen. Dale Volker -
Request looking into State's obligations regarding field of drainage and flood control. | R & F

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| 620. Supervisor to Lancaster Village Mayor -
Request early installation of water main in regards to water sprinkler in Opera House. | R & F

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| 621. Chief of Police to Town Board -
Notification of return to work by Police Clerk Carol Armstrong. | R & F

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| 622. Virginia Streit to Town Board -
Request continuation of Pre-School Swim Program. | Recreation Comm.

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| 623. Superintendent, Depew Union-Free School District to Supervisor -
Request assistance regarding safety measures for children walking to school. | Police Chief
Police & Safety
Committee

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| 624. Patrick Marrano Associates, Inc. to Supervisor -
Announcement of corporate offices. | R & F

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| 625. Creative Grants, Inc. to Supervisor -
Notice of hearing to be held 7/31/78 regarding obtaining of federal and state grant money. | R & F

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ADJOURNMENT:

ON MOTION OF COUNCILMAN METZ, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 10:15 P.M. out of respect to:

Hilda Weimer

John Basher

Signed

Robert P. Thill

Robert P. Thill, Town Clerk